

Amendment No. 1 to HB2363

Crawford
Signature of Sponsor

AMEND Senate Bill No. 2298

House Bill No. 2363*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-19-132, is amended by deleting the section in its entirety.

SECTION 2. Tennessee Code Annotated, Section 2-2-143, is amended by deleting the section in its entirety.

SECTION 3. Tennessee Code Annotated, Section 2-2-142, is amended by deleting current subsections (a), (b), (e), (f), and (g) in their entireties and adding the following subsections as designated:

(a) For the purposes of this section, the term "voter registration drive" means to collect voter registration applications from another person and submit the collected application to the county or state election commission for the purposes of registering that person to vote, but does not include state or county governmental entities operating in the course and scope of their official duties.

(b) The coordinator of elections shall offer free voluntary training to individuals or organizations who conduct voter registration drives. The training shall, at a minimum, summarize the laws and procedures regarding voter registration. A list of those individuals or organizations who complete the training may be published on the secretary of state's website or published by any other means deemed appropriate by the secretary of state.

(e) Any person or organization collecting a voter registration form submitted by an applicant during a voter registration drive shall, within fifteen (15) calendar days of

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receipt of the form, deliver or mail the form to the county election commission in which the applicant resides according to the address on the application or to the state election commission; provided, that if the date of the receipt of the form is within fifteen (15) calendar days of the voter registration deadline, the submitted forms must be delivered or mailed no later than the voter registration deadline. For the purposes of this subsection (e), a form shall be considered mailed on the date of the postmark stamped on the cover in which such document was mailed.

(f) Any person or organization other than a federal, state, or county governmental entity operating in the course and scope of its official duties who conducts a voter registration drive or operates an online voter registration platform is prohibited from copying, photographing, or in any way retaining, electronically or physically, personal identifying information collected on a voter registration application or entered into the online voter registration platform, including name, date and place of birth, residential address, mailing address, email, phone number, and signature for any purpose other than voter participation, voter engagement, or voter turnout unless the person or organization informs the applicant how the applicant's personal information will be used by the person or organization and the applicant expressly consents in writing or electronically. The social security number provided on the voter registration application or entered into the online voter registration platform is confidential and shall not be copied, photographed, or in any way retained, electronically or physically, by any person other than election officials in their official capacity.

(g)

(1) The state election commission may impose a maximum civil penalty up to fifty dollars (\$50.00) for each violation of subsection (c), (d), (e), or (f).

(2) For any violation or violations, the state election commission shall send, by return mail, receipt requested, an assessment letter to the person or organization in a form sufficient to advise the person or organization of the factual basis of the violation or violations, the total civil penalty, and the date a response to the letter must be filed. Refusal of or failure to timely claim an assessment letter sent by return mail, receipt requested, constitutes acceptance of the assessment letter for purposes of service.

(3) To request a waiver of reduction in or to in any way contest a penalty imposed by the state election commission, a person or organization shall file a petition with the state election commission. Such petition may be considered as commencing a contested case proceeding under the Uniform Administrative Procedures Act, pursuant to title 4, chapter 5.

(h) Any person or organization who provides or publishes erroneous or incorrect information regarding the qualifications to vote, the requirements to register to vote, whether an individual voter is currently registered to vote or eligible to register to vote, voter registration deadlines, or polling dates, times, and locations shall, upon discovery, immediately notify the appropriate county election commission and the coordinator of elections.

(i) The coordinator of elections and the state election commission are authorized to adopt policies or procedures and to promulgate rules and regulations to effectuate the provisions of this section.

SECTION 4. Tennessee Code Annotated, Section 2-2-137, is amended by adding the following subdivision to subsection (b):

(4) The cyber security practices in place to protect the integrity of the voter registration process.

SECTION 5. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.